IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

WP(C).No. 3165 of 2007(B)

PETITIONER:

K.GIRIJA, VILLAGE ASSISTANT,
PUTHENCHIRA VILLAGE OFFICE, MUKUNDAPURAM TALUK,
THRISSUR DIST.

BY ADV. SRI.ELVIN PETER P.J.
SRI.C.X.ANTONY BENEDICT

RESPONDENTS:

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1. STATE OF KERALA,
REP.BY THE SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE COMMISSIONER, LAND REVENUE
DEPARTMENT, THIRUVANANTHAPURAM.

3. THE ADDITIONAL COMMISSIONER,
LAND REVENUE DEPARTMENT,
COMMISSIONERATE OF LAND REVENUE,
THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI.BIJOY CHANDRAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

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W.P.(C).No.26745 of 2006

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Dated this the 15th day of February, 2007.

O R D E R

While the petitioner was working as Copyist in the Revenue Ministerial Subordinate Service, she was appointed as L.D.Clerk. Subsequently she was transferred to the Rural Development Department. After sometime, she wanted to come back to her parent department and contended that she had retained her lien in the parent department. The respondents did not allow the petitioner to come back to the parent department. This led to litigations between the petitioner and the respondents. Ultimately, the 3rd respondent - Deputy Commissioner, Land Revenue passed order dated 30-03-2005 repatriating the petitioner to the parent department as L.D.Clerk. The petitioner thus got posting as L.D.Clerk in the Revenue Department. Subsequently she was promoted as Dy.Tahsildar as per order dated 18-7-2005 (Ext.P9). But the promotion remains only in papers so much so the petitioner is actually working as Village Assistant. It is contended that she shall be given posting as Dy.Tahsildar and allowed to occupy that post with attendant benefits.

2. Feeling aggrieved, she filed representation before the 1st respondent. In Ext.P8 judgment in WP(C).No.19423/2004

filed by the petitioner and two others, this Court had inter alia observed as follows:

> "......it is common case that the petitioners are entitled to be considered for further promotion in the parent department, in accordance with their seniority and subject to acquisition of prescribed qualification.'

3. The petitioner is, in effect, deprived of the benefits due to her in accordance with law. After making repeated representations, the petitioner has once again approached this Court.

4. Heard Government Pleader for the respondents.

5. The petitioner is entitled to the benefits similar to those granted to the petitioner in Ext.P11 judgment. In the circumstances, there shall be an order directing respondents 2 and 3 to promote and post the petitioner as Deputy Tahsildar within two weeks from the date of receipt of a copy of this judgment. She shall be granted monitory benefits as also other benefits in accordance with law. The respondents shall work out the amount due to be paid to the petitioner and disburse the same within two months on the petitioner producing a copy of this judgment.

Writ petition is disposed of as above.

K.K.DENESAN, JUDGE.

kvs/-